

Snyder	Thune	Waters
Spratt	Thurman	Watt (NC)
Stabenow	Tierney	Waxman
Stark	Torres	Wexler
Stokes	Towns	Weygand
Strickland	Turner	Wise
Stupak	Velazquez	Woolsey
Tanner	Vento	Yates
Tauscher	Visclosky	
Thompson	Wamp	

NOT VOTING—10

Andrews	Manton	Skelton
Hefner	Molinari	Watkins
Hinojosa	Mollohan	
Jefferson	Schiff	

So the amendment was agreed to.
After some further time,

49.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. NEUMANN:

Page 35, after line 25, insert the following new chapter:

CHAPTER 9

FURTHER SPENDING REDUCTIONS

SEC. 901. The amount otherwise provided by this title for "Federal Emergency Management Agency—Disaster Relief" (and the portion of such amount that is specified to become available for obligation on September 30, 1997) are hereby reduced by \$1,700,000,000.

It was decided in the { Yeas 115
negative } Nays 305

49.23 [Roll No. 135]
AYES—115

Aderholt	Foley	Norwood
Archer	Franks (NJ)	Nussle
Army	Ganske	Pappas
Ballenger	Goode	Paul
Barr	Goodling	Petri
Bartlett	Goss	Pombo
Barton	Graham	Porter
Bass	Gutknecht	Rohrabacher
Bereuter	Hall (TX)	Royce
Blunt	Hastert	Ryun
Brady	Hastings (WA)	Salmon
Bryant	Hefley	Sanford
Bunning	Herger	Scarborough
Burr	Hill	Schaefer, Dan
Burton	Hilleary	Schaffer, Bob
Camp	Hoekstra	Sensenbrenner
Campbell	Hostettler	Sessions
Cannon	Hulshof	Shadegg
Castle	Hunter	Shays
Chabot	Inglis	Shimkus
Chambliss	Istook	Smith (MI)
Christensen	Johnson, Sam	Snowbarger
Coble	Jones	Solomon
Coburn	Kasich	Souder
Collins	Kingston	Stearns
Combest	Klug	Stenholm
Condit	Largent	Stump
Cox	Linder	Sununu
Crane	Manzullo	Talent
Cubin	McCollum	Taylor (NC)
Deal	McInnis	Thornberry
Doggett	McIntosh	Tiahrt
Doolittle	Meehan	Upton
Duncan	Metcalfe	Watt (NC)
Ehlers	Mica	Watts (OK)
Ehrlich	Miller (FL)	Weldon (FL)
Ensign	Moran (KS)	White
Ewing	Myrick	
Fawell	Neumann	

NOES—305

Abercrombie	Bentsen	Bono
Ackerman	Berry	Borski
Allen	Bilbray	Boswell
Bachus	Blirakis	Boucher
Baessler	Bishop	Boyd
Baker	Blagojevich	Brown (CA)
Baldacci	Bliley	Brown (FL)
Barcia	Blumenauer	Brown (OH)
Barrett (NE)	Boehlert	Buyer
Barrett (WI)	Boehner	Callahan
Bateman	Bonilla	Calvert
Becerra	Bonior	Canady

Capps	Jackson-Lee	Pelosi
Cardin	(TX)	Peterson (MN)
Carson	Jenkins	Peterson (PA)
Chenoweth	John	Pickering
Clay	Johnson (CT)	Pickett
Clayton	Johnson (WI)	Pitts
Clement	Johnson, E. B.	Pomeroy
Clyburn	Kanjorski	Portman
Cook	Kaptur	Poshard
Cooksey	Kelly	Price (NC)
Costello	Kennedy (MA)	Pryce (OH)
Coyne	Kennedy (RI)	Quinn
Cramer	Kennelly	Rahall
Crapo	Kildee	Ramstad
Cummings	Kilpatrick	Rangel
Cunningham	Kim	Regula
Danner	Kind (WI)	Reyes
Davis (FL)	King (NY)	Riggs
Davis (IL)	Klecka	Riley
Davis (VA)	Klink	Rivers
DeFazio	Knollenberg	Rodriguez
DeGette	Kolbe	Roemer
Delahunt	Kucinich	Rogan
DeLauro	LaFalce	Rogers
DeLay	LaHood	Ros-Lehtinen
Dellums	Lampson	Rothman
Deutsch	Lantos	Roukema
Diaz-Balart	Latham	Roybal-Allard
Dickey	LaTourette	Rush
Dicks	Lazio	Sabo
Dingell	Leach	Sanchez
Dixon	Levin	Sanders
Dooley	Lewis (CA)	Sandlin
Doyle	Lewis (GA)	Sawyer
Dreier	Lewis (KY)	Saxton
Dunn	Lipinski	Schumer
Edwards	Livingston	Scott
Emerson	LoBiondo	Serrano
Engel	Lofgren	Shaw
English	Lowey	Sherman
Eshoo	Lucas	Shuster
Etheridge	Luther	Sisisky
Evans	Maloney (CT)	Skaggs
Everett	Maloney (NY)	Skeen
Farr	Markay	Slaughter
Fattah	Martinez	Smith (NJ)
Fazio	Mascara	Smith (TX)
Filner	Matsui	Smith, Adam
Flake	McCarthy (MO)	Smith, Linda
Foglietta	McCarthy (NY)	Snyder
Forbes	McCrery	Spence
Ford	McDade	Spratt
Fowler	McDermott	Stabenow
Fox	McGovern	Stark
Frank (MA)	McHale	Stokes
Frelinghuysen	McHugh	Strickland
Frost	McIntyre	Stupak
Furse	McKeon	Tanner
Galleghy	McKinney	Tauscher
Gejdenson	McNulty	Tauzin
Gekas	Meek	Taylor (MS)
Gephardt	Menendez	Thomas
Gibbons	Millender	Thompson
Gilchrist	McDonald	Thune
Gillmor	Miller (CA)	Thurman
Gilman	Minge	Tierney
Gonzalez	Mink	Torres
Goodlatte	Moakley	Towns
Gordon	Mollohan	Trafigant
Granger	Moran (VA)	Turner
Green	Morella	Velazquez
Greenwood	Murtha	Vento
Gutierrez	Nadler	Visclosky
Hall (OH)	Neal	Walsh
Hamilton	Nethercutt	Wamp
Hansen	Ney	Waters
Harman	Northup	Waxman
Hastings (FL)	Oberstar	Weldon (PA)
Hayworth	Obey	Weller
Hilliard	Olver	Wexler
Hinche	Ortiz	Weygand
Hinojosa	Owens	Whitfield
Hobson	Oxley	Wicker
Holden	Packard	Wise
Hooley	Pallone	Wolf
Horn	Parker	Woolsey
Houghton	Pascrell	Wynn
Hoyer	Pastor	Young (AK)
Hutchinson	Paxon	Young (FL)
Hyde	Payne	
Jackson (IL)	Pease	

NOT VOTING—13

Andrews	Manton	Smith (OR)
Berman	Molinari	Watkins
Conyers	Radanovich	Yates
Hefner	Schiff	
Jefferson	Skelton	

So the amendment was not agreed to.

After some further time,
The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. COMBEST, Chairman, pursuant to House Resolution 149, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 5, line 15, after the dollar amount, insert the following: "(increased by \$38,000,000)".

Page 35, after line 25, insert the following:

INDEPENDENT AGENCIES

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATIONNATIONAL AERONAUTICAL FACILITIES
(RESCISSION)

Of the funds made available under this heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995 (Pub. L. 103-327), \$38,000,000 is rescinded.

Page 51, after line 23, insert the following new title:

TITLE IV—COST OF HIGHER EDUCATION
REVIEW

SEC. 4001. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This title may be cited as the "Cost of Higher Education Review Act of 1997".

(b) FINDINGS.—The Congress finds the following:

(1) According to a report issued by the General Accounting Office, tuition at 4-year public colleges and universities increased 234 percent from school year 1980-1981 through school year 1994-1995, while median household income rose 82 percent and the cost of consumer goods as measured by the Consumer Price Index rose 74 percent over the same time period.

(2) A 1995 survey of college freshmen found that concern about college affordability was the highest it has been in the last 30 years.

(3) Paying for a college education now ranks as one of the most costly investments for American families.

SEC. 4002. ESTABLISHMENT OF NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION.

There is established a Commission to be known as the "National Commission on the Cost of Higher Education" (hereafter in this title referred to as the "Commission").

SEC. 4003. MEMBERSHIP OF COMMISSION.

(a) APPOINTMENT.—The Commission shall be composed of 7 members as follows:

(1) Two individuals shall be appointed by the Speaker of the House.

(2) One individual shall be appointed by the Minority Leader of the House.

(3) Two individuals shall be appointed by the Majority Leader of the Senate.

(4) One individual shall be appointed by the Minority Leader of the Senate.

(5) One individual shall be appointed by the Secretary of Education.

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in higher education finance (including the financing of State institutions of higher education), Federal financial aid programs, education economics research, public or private higher education administration, or business executives who have managed successful cost reduction programs.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairman and a Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) the Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives;

(2) the Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives;

(3) the Chairman of the Committee on Labor and Human Resources may act under such subsection for the Majority Leader of the Senate; and

(4) the Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

(f) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(g) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

(i) INITIAL MEETING.—The initial meeting of the Commission shall occur within 40 days after the date of enactment of this Act.

SEC. 4004. FUNCTIONS OF COMMISSION.

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

(1) The increase in tuition compared with other commodities and services.

(2) Innovative methods of reducing or stabilizing tuition.

(3) Trends in college and university administrative costs, including administrative staffing, ratio of administrative staff to instructors, ratio of administrative staff to students, remuneration of administrative staff, and remuneration of college and university presidents or chancellors.

(4) Trends in (A) faculty workload and remuneration (including the use of adjunct faculty), (B) faculty-to-student ratios, (C) number of hours spent in the classroom by faculty, and (D) tenure practices, and the impact of such trends on tuition.

(5) Trends in (A) the construction and renovation of academic and other collegiate facilities, and (B) the modernization of facilities to access and utilize new technologies, and the impact of such trends on tuition.

(6) The extent to which increases in institutional financial aid and tuition discounting have affected tuition increases, including the demographics of students receiving such aid, the extent to which such aid is

provided to students with limited need in order to attract such students to particular institutions or major fields of study, and the extent to which Federal financial aid, including loan aid, has been used to offset such increases.

(7) The extent to which Federal, State, and local laws, regulations, or other mandates contribute to increasing tuition, and recommendations on reducing those mandates.

(8) The establishment of a mechanism for a more timely and widespread distribution of data on tuition trends and other costs of operating colleges and universities.

(9) The extent to which student financial aid programs have contributed to changes in tuition.

(10) Trends in State fiscal policies that have affected college costs.

(11) The adequacy of existing Federal and State financial aid programs in meeting the costs of attending colleges and universities.

(12) Other related topics determined to be appropriate by the Commission.

(b) FINAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall submit to the President and to the Congress, not later than 120 days after the date of the first meeting of the Commission, a report which shall contain a detailed statement of the findings and conclusions of the Commission, including the Commission's recommendations for administrative and legislative action that the Commission considers advisable.

(2) MAJORITY VOTE REQUIRED FOR RECOMMENDATIONS.—Any recommendation described in paragraph (1) shall be made by the Commission to the President and to the Congress only if such recommendation is adopted by a majority vote of the members of the Commission who are present and voting.

(3) EVALUATION OF DIFFERENT CIRCUMSTANCES.—In making any findings under subsection (a) of this section, the Commission shall take into account differences between public and private colleges and universities, the length of the academic program, the size of the institution's student population, and the availability of the institution's resources, including the size of the institution's endowment.

SEC. 4005. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold such hearings and sit and act at such times and places, as the Commission may find advisable.

(b) RULES AND REGULATIONS.—The Commission may adopt such rules and regulations as may be necessary to establish the Commission's procedures and to govern the manner of the Commission's operations, organization, and personnel.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) INFORMATION.—The Commission may request from the head of any Federal agency or instrumentality such information as the Commission may require for the purpose of this title. Each such agency or instrumentality shall, to the extent permitted by law and subject to the exceptions set forth in section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), furnish such information to the Commission, upon request made by the Chairperson of the Commission.

(2) FACILITIES AND SERVICES, PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent possible and subject to the discretion of such head—

(A) make any of the facilities and services of such agency or instrumentality available to the Commission; and

(B) detail any of the personnel of such agency or instrumentality to the Commis-

sion, on a nonreimbursable basis, to assist the Commission in carrying out the Commission's duties under this title.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) CONTRACTING.—The Commission, to such extent and in such amounts as are provided in appropriation Acts, may enter into contracts with State agencies, private firms, institutions, and individuals for the purpose of conducting research or surveys necessary to enable the Commission to discharge the Commission's duties under this title.

(f) STAFF.—Subject to such rules and regulations as may be adopted by the Commission, and to such extent and in such amounts as are provided in appropriation Acts, the Chairperson of the Commission shall have the power to appoint, terminate, and fix the compensation (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision, or of any other provision of law, relating to the number, classification, and General Schedule rates) of an Executive Director, and of such additional staff as the Chairperson deems advisable to assist the Commission, at rates not to exceed a rate equal to the maximum rate for level IV of the Executive Schedule under section 5332 of such title.

SEC. 4006. FUNDING OF COMMISSION.

(a) APPROPRIATION.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 1997 for carrying out this title, \$650,000, to remain available until expended, or until one year after the termination of the Commission pursuant to section 4007, whichever occurs first.

(b) RESCISSION.—Of the funds made available for "DEPARTMENT OF EDUCATION—Federal Family Education Loan Program Account" in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997 (as contained in section 101(e) of division A of Public Law 104-208), \$849,000 is rescinded.

SEC. 4007. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 4004(b).

Page 23, line 2, insert before the period the following:

: *Provided further*, That, notwithstanding any other provision of law, of the unobligated balances under this heading from amounts made available in this or any other Act for fiscal year 1997 or any prior fiscal year, \$300,000 shall be made available to Monroe County, Michigan, as reimbursement for costs incurred in connection with the crash of Comair Flight 3272

Page 27, after line 23, insert the following:

COMMUNITY PLANNING AND
DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANTS
FUND

For an additional amount for "Community development block grants fund" as authorized under title I of the Housing and Community Development Act of 1974, \$500,000,000, to remain available until September 30, 2000, for use only for buy-outs, relocation, long-term recovery, and mitigation in communities affected by the flooding in the upper Midwest and other disasters in fiscal year 1997 and such natural disasters designated 30 days prior to the start of fiscal year 1997: *Provided*, That in administering these amounts, the Secretary may waive, or specify alternative

requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds, except for statutory requirements related to civil rights, fair housing and nondiscrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such funds, and would not be inconsistent with the overall purpose of the statute: *Provided further*, That the Secretary of Housing and Urban Development shall publish a notice in the Federal Register governing the use of community development block grant funds in conjunction with any program administered by the Director of the Federal Emergency Management Agency for buyouts for structures in disaster areas: *Provided further*, That for any funds under this head used for buyouts in conjunction with any program administered by the Director of the Federal Emergency Management Agency, each State or unit of general local government requesting funds from the Secretary of Housing and Urban Development for buyouts shall submit a plan to the Secretary which must be approved by the Secretary as consistent with the requirements of this program: *Provided further*, That the Secretary of Housing and Urban Development and the Director of the Federal Emergency Management Agency shall submit quarterly reports to the House and Senate Committees on Appropriations on all disbursement and use of funds for or associated with buyouts: *Provided further*, That, hereafter, for any amounts made available under this head and for any amounts made available for any fiscal year under title I of the Housing and Community Development Act of 1974 that are in communities affected by the flooding and disasters referred to in this head for activities to address the damage resulting from such flooding and disasters, the Secretary of Housing and Urban Development shall waive the requirement under such title that the activities benefit persons of low- and moderate-income and the requirements that grantees and units of general local government hold public hearings: *Provided further*, That, hereafter, for any amounts made available for any fiscal year under the HOME Investment Partnerships Act that are used in communities affected by the flooding and disasters referred to in this head to assist housing used as temporary housing for families affected by such flooding and disasters, the Secretary of Housing and Urban Development shall waive (during the period, and to the extent, that such housing is used for such temporary housing) the requirements that the housing meet the income targeting requirements under section 214 of such Act, the requirements that the housing qualify as affordable housing under section 215 of such Act, and the requirements for documentation regarding family income and housing status and shall permit families to self-certify such information: *Provided further*, That the Secretary of Housing and Urban Development may make a grant from the amount provided under this head to restore electrical and natural gas service to areas damaged by the flooding and natural disasters: *Provided further*, That the entire amount made available under this head is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Page 28, line 5, after the dollar figure insert the following:

(reduced by \$500,000,000)

Page 51, after line 23, insert the following new section:

BUY-AMERICAN REQUIREMENTS

SEC. 3003. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act. (41 U.S.C. 10a-10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

On page 51, after line 23, add the following new title:

TITLE IV—PREVENTION OF GOVERNMENT SHUTDOWN

SHORT TITLE

SEC. 401. This title may be cited as the "Government Shutdown Prevention Act".

CONTINUING FUNDING

SEC. 402. (a) If any regular appropriation bill for fiscal year 1998 does not become law prior to the beginning of fiscal year 1998 or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any program, project, or activity for which funds were provided in fiscal year 1997.

(b) Appropriations and funds made available, and authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be at 100 percent of the rate of operations that was provided for the program, project, or activity in fiscal year 1997 in the corresponding regular appropriation Act for fiscal year 1997.

(c) Appropriations and funds made available, and authority granted, for fiscal year 1998 pursuant to this title for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

- (1) the date on which the applicable regular appropriation bill for fiscal year 1998 becomes law (whether or not that law provides for that program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be; or
- (2) the last day of fiscal year 1998.

TERMS AND CONDITIONS

SEC. 403. (a) An appropriation of funds made available, or authority granted, for a program, project, or activity for fiscal year

1998 pursuant to this title shall be made available to the extent and in the manner which would be provided by the pertinent appropriations Act for fiscal year 1997, including all of the terms and conditions and the apportionment schedule imposed with respect to the appropriation made or funds made available for fiscal year 1997 or authority granted for the program, project, or activity under current law.

(b) Appropriations made by this title shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

COVERAGE

SEC. 404. Appropriations and funds made available, and authority granted, for any program, project, or activity for fiscal year 1998 pursuant to this title shall cover all obligations or expenditures incurred for that program, project, or activity during the portion of fiscal year 1998 for which this title applies to that program, project, or activity.

EXPENDITURES

SEC. 405. Expenditures made for a program, project, or activity for fiscal year 1998 pursuant to this title shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of fiscal year 1998 providing for that program, project, or activity for that period becomes law.

INITIATING OR RESUMING A PROGRAM, PROJECT, OR ACTIVITY

SEC. 406. No appropriation or funds made available or authority granted pursuant to this title shall be used to initiate or resume any program, project, or activity for which appropriations, funds, or other authority were not available during fiscal year 1997.

PROTECTION OF OTHER OBLIGATIONS

SEC. 407. Nothing in this title shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, Medicaid, and veterans benefits.

DEFINITION

SEC. 408. In this title, the term "regular appropriation bill" means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

- (1) Agriculture, rural development, and related agencies programs.
- (2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.
- (3) The Department of Defense.
- (4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.
- (5) The Departments of Labor, Health, and Human Services, and Education, and related agencies.
- (6) The Departments of Veterans Affairs and Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.
- (7) Energy and water development.
- (8) Foreign assistance and related programs.
- (9) The Department of the Interior and related agencies.
- (10) Military construction.
- (11) The Department of Transportation and related agencies.
- (12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.
- (13) The legislative branch.

Page 51, after line 23, insert the following new section:

EXTENSION OF SSI REDETERMINATION
PROVISIONS

SEC. 3303. (a) Section 402(a)(2)(D)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)(ii)) is amended—

(1) in subclause (I), by striking “the date which is 1 year after such date of enactment,” and inserting “September 30, 1997,”; and

(2) in subclause (III), by striking “the date of the redetermination with respect to such individual” and inserting “September 30, 1997.”

(b) The amendment made by subsection (a) shall be effective as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Page 18, after line 4, insert the following new section:

SAN CARLOS APACHE TRIBE WATER RIGHTS
SETTLEMENT

SEC. 402. (a) EXTENSION.—Section 3711(b)(1) of the San Carlos Apache Tribe Water Rights Settlement Act of 1992 (106 Stat. 4752) is amended by striking “June 30, 1997” and inserting “March 31, 1999”.

(b) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—Section 3711 of such Act is amended by adding at the end the following new subsection:

“(C) EXTENSION FOR RIVER SYSTEM GENERAL ADJUDICATION.—If, at any time prior to March 31, 1999, the Secretary notifies the Committee on Indian Affairs of the United States Senate or the Committee on Resources in the United States House of Representatives that the Settlement Agreement, as executed by the Secretary, has been submitted to the Superior Court of the State of Arizona in and for Maricopa County for consideration and approval as part of the General Adjudication of the Gila River System and Source, the March 31, 1999, referred to in subsection (b)(1) shall be deemed to be changed to December 31, 1999.”

(c) COUNTIES.—Section 3706(b)(3) of such Act is amended by inserting “Gila, Graham, Greenlee,” after “Maricopa.”

(d) PARTIES TO AGREEMENT.—Section 3703(2) of such Act is amended by adding at the end the following new sentence: “The Gila Valley Irrigation District and the Franklin Irrigation District shall be added as parties to the Agreement, but only so long as none of the aforementioned parties objects to adding the Gila Valley Irrigation and/or the Franklin Irrigation District as parties to the Agreement.”

(e) CONDITIONS.—Section 3711 of such Act, as amended by subsection (b) of this Act, is further amended by adding at the end the following new subsections:

“(d) CONDITIONS.—(1) IN GENERAL.—The June 30, 1997, deadline has been extended based on the following conditions. The provisions and agreements set forth or referred to in paragraph (2), (3), and (4) below shall be enforceable against the United States, and the conditions and agreements set forth or referred to in paragraphs (3) and (4) shall be enforceable against the Tribe, in United States District Court, and the immunity of the United States and the Tribe for such purposes is hereby waived.

“(2) INTERIM PERIOD.—Prior to March 31, 1999, or the execution of a final Agreement under paragraph (3) below, whichever comes first, the following conditions shall apply:

“(A) As of July 23, 1997, Phelps Dodge shall vacate the reservation and no longer rely upon permit #2000089, dated July 25, 1944, except as provided in subparagraph (F) and the Tribe will stay any further prosecution of any claims or suits filed by the Tribe in any court with respect to the Black River facilities or the flowage of water on Eagle Creek.

The United States, with the permission of the Tribe, shall enter and operate the Black River pump station, outbuildings, the pipeline, related facilities, and certain caretaker quarters (hereinafter referred to collectively as the ‘Black River facilities’).

“(B) As of July 23, 1997, the United States, through the Bureau of Reclamation, shall operate and maintain the Black River facilities. The United States and Phelps Dodge shall enter into a contract for delivery of water pursuant to subparagraph (C), below. Water for delivery to Phelps Dodge from the Black River shall not exceed an annual average of 40 acre feet per day, or 14,000 acre feet per year. All diversions from Black River to Phelps Dodge shall be junior to the Tribe’s right to divert and use of 7300 acre feet per year for the San Carlos Apache Tribe, and no such diversion for Phelps Dodge shall cause the flow of Black River to fall below 20 cubic feet per second. The United States shall account for the costs for operating and maintaining the Black River facilities, and Phelps Dodge shall reimburse the United States for such costs. Phelps Dodge shall pay to the United States, for delivery to the Tribe, the sum of \$20,000 per month, with an annual CPI adjustment, for purposes of compensating the Tribe for United States use and occupancy of the Black River facilities. Phelps Dodge shall cooperate with the United States in effectuating an orderly transfer of the operations of the Black River facilities from Phelps Dodge to the United States.

“(C) Notwithstanding any other provision of law, that contract referred to in subparagraph (B) between the United States and Phelps Dodge providing for the diversion of water from the Black River into the Black River facilities, and the delivery of such water to Phelps Dodge at that location where the channel of Eagle Creek last exits the reservation for use in the Morenci mine complex and the towns of Clifton and Morenci and at no other location is ratified and confirmed. The United States/Phelps Dodge contract shall have no bearing on potential claims by the United States, Phelps Dodge or the Tribe regarding any aspect of the Black River facilities in the event that a final agreement is not reached among the parties under paragraph (3) below.

“(D) The power line right-of-way over the Tribe’s Reservation which currently is held by Phelps Dodge shall remain in place. During the interim period, Phelps Dodge shall provide power to the United States for operation of the pump station and related facilities without charge, and Phelps Dodge shall pay a monthly right-of-way fee to the Tribe of \$5000 per month, with an annual CPI adjustment.

“(E) Any questions regarding the water claims associated with Phelps Dodge’s use of the Eagle Creek wellfield, its diversions of surface water from Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other water supplies are not addressed in this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

“(F) If a final agreement is not reached by March 31, 1999, the terms set forth in subparagraphs (A) through (E) shall no longer apply. Under such circumstances, the occupancy of the Black River facilities shall revert to Phelps Dodge on March 31, 1999, and the Tribe and/or Phelps Dodge shall be free to prosecute litigation regarding the validity of Phelps Dodge use of the Black River facilities. In any such event, the Tribe, the United States, and Phelps Dodge shall have the same rights with respect to the Black River facilities as each had prior to the enactment of this subsection and nothing in

this subsection shall be construed as altering or affecting such rights nor shall anything herein be admissible or otherwise relevant for the purpose of determining any of their respective rights.

“(3) FINAL AGREEMENT.—The United States, Phelps Dodge, and the Tribe intend to enter into a Final Agreement on or before March 31, 1999, which Agreement shall include the following terms:

“(A) The United States shall hold the Black River facilities in trust for the Tribe, without cost to the Tribe or the United States.

“(B) Responsibility for operation of the Black River facilities shall be transferred from the United States to the Tribe. The United States shall train Tribal members during the Interim Period, and the responsibility to operate the Black River facilities shall be transferred upon satisfaction of two conditions: (i) entry of the Final Agreement described in this subsection; and (ii) a finding by the United States that the Tribe has completed necessary training and is qualified to operate the Black River facilities.

“(C) Power lines currently operated by Phelps Dodge on the Tribe’s Reservation, and the right of way associated with such power lines, shall be surrendered by Phelps Dodge to the Tribe, without cost to the Tribe. Concurrently with the transfer of the power lines and the right of way, Phelps Dodge shall construct a switch station at the boundary of the reservation at which the Tribe may switch power on or off and shall deliver ownership and control of such switch station to the Tribe. Subsequent to the transfer of the power lines and the right of way and the delivery of ownership and control of the switch station to the Tribe, Phelps Dodge shall have no further obligation or liability of any nature with respect to the ownership, operation or maintenance of the power lines, the right of way or the switch station.

“(D) The Tribe and Phelps Dodge intend to enter into a contract covering the lease and delivery of CAP water from the Tribe to Phelps Dodge on the terms recommended by the United States, the trustee for the Tribe. Water for delivery to Phelps Dodge from the Black River shall not exceed an annual average of 40 acre feet per day, or 14,000 acre feet per year. All diversions from Black River to Phelps Dodge shall be junior to the Tribe’s right to divert and use of 7300 acre feet per year for the San Carlos Apache Tribe, and no such diversions for Phelps Dodge shall cause the flow of Black River to fall below 20 cubic feet per second. It is intended that the water subject to the contract shall be CAP water that is controlled by the Tribe. The Tribe and/or the United States intend to enter into an exchange agreement with the Salt River Project which will deliver CAP water to the Salt River Project in return for the diversion of water from the Black River into the Black River facilities. The lease and delivery contract between Phelps Dodge and the Tribe is intended to be based on a long-term lease of CAP water at prevailing market rates for municipal and industrial uses of CAP water. The parties will discuss the potential imposition of capital costs as part of the contract. It is intended that the contract price shall include operation, maintenance and replacement (OM&R) charges associated with the leased CAP water, and it is intended that the contract will take into account reasonable charges associated with the Tribe’s operations and maintenance of the Black River facilities, and a credit for power provided for such facilities. It is intended that the water delivered under this contract will be utilized in the Morenci mine complex and the towns of Clifton and Morenci, and for no other purpose.

“(E) Any questions regarding the water claims associated with Phelps Dodge’s use of the Eagle Creek wellfield, its diversions of surface water from lower Eagle Creek, the San Francisco River, Chase Creek, and/or its use of other groundwater supplies are not addressed by this title. No provision in this subsection shall affect or be construed to affect any claims by the Tribe, the United States, or Phelps Dodge to groundwater or surface water.

“(4) EAGLE CREEK.—From the effective date of this subsection, the Tribe covenants not to impede, restrict, or sue the United States regarding, the passage of water from the Black River facilities into those portions of the channels of Willow Creek and Eagle Creek which flow through the Tribe’s lands. The Tribe covenants not to impede, restrict, or sue Phelps Dodge regarding, the passage of historic maximum flows, less transportation losses, from the existing Phelps Dodge Upper Eagle Creek Wellfield, except that (i) Phelps Dodge shall pay to the United States, for delivery to the Tribe, \$5000 per month, with an annual CPI adjustment, to account the passage of such flows; and (ii) the Tribe and the United States reserve the right to challenge Phelps Dodge’s claims regarding the pumping of groundwater from the upper Eagle Creek wellfield, in accordance with paragraphs (2)(E) and (3)(E) above. Nothing in this subsection shall affect or be construed to affect the rights of the United States, the Tribe, or Phelps Dodge to flow water in the channel of Eagle Creek in the absence of this subsection.

“(5) RELATIONSHIP TO SETTLEMENT.—In the event that Phelps Dodge and the Tribe execute a Final Agreement pursuant to paragraph (3) on or before March 3, 1999—

“(A) effective on the date of execution of such Final Agreement, the term ‘Agreement’, as defined by section 3703(2), shall not include Phelps Dodge; and

“(B) section 3706(j) shall have no effect.”.

(f) REPEAL.—Subsection (f) of section 3705 of such Act is hereby repealed.

(g) TECHNICAL AMENDMENT.—Section 3702(a)(3) is amended by striking “qualification” and inserting “quantification”.

Page 28, after line 1, insert the following:

ENVIRONMENTAL PROTECTION AGENCY
BUILDINGS AND FACILITIES

From the amounts appropriated under this heading in prior appropriation Acts for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall, after the closing of the period for filing CERT-related claims pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against the EPA pursuant to such Act. To the extent that unobligated balances then remain from such amounts previously appropriated, the EPA is authorized beginning in fiscal year 1997 to make grants to the City of Bay City, Michigan, for the purpose of EPA-approved environmental remediation and rehabilitation of publicly owned real property included in the boundaries of the CERT project.

Page 35, after line 25, insert the following:

COMMISSION ON THE ADVANCEMENT OF FEDERAL
LAW ENFORCEMENT

For an additional amount for the operations of the Commission on the Advancement of Federal Law Enforcement, \$2,000,000, to remain available until expended.

Page 51, after line 23, insert the following new title:

**TITLE III—ADDITIONAL DISASTER RELIEF
PROVISIONS**

**Subtitle A—Depository Institution Disaster
Relief**

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the “Depository Institutions Disaster Relief Act of 1997”.

**SEC. 4002. TRUTH IN LENDING ACT; EXPEDITED
FUNDS AVAILABILITY ACT.**

(a) TRUTH IN LENDING ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Truth in Lending Act for transactions within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(b) EXPEDITED FUNDS AVAILABILITY ACT.—During the 240-day period beginning on the date of enactment of this Act, the Board of Governors of the Federal Reserve System may make exceptions to the Expedited Funds Availability Act for depository institution offices located within any area referred to in subsection (a) of this section if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(c) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than September 1, 1998.

(d) PUBLICATION REQUIRED.—The Board of Governors of the Federal Reserve System shall publish in the Federal Register a statement that—

(1) describes any exception made under this section; and

(2) explains how the exception can reasonably be expected to produce benefits to the public that outweigh possible adverse effects.

SEC. 4003. DEPOSIT OF INSURANCE PROCEEDS.

(a) IN GENERAL.—The appropriate Federal banking agency may, by order, permit an insured depository institution to subtract from the institution’s total assets, in calculating compliance with the leverage limit prescribed under section 38 of the Federal Deposit Insurance Act, an amount not exceeding the qualifying amount attributable to insurance proceeds, if the agency determines that—

(1) the institution—

(A) had its principal place of business within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, on the day before the date of any such determination; and

(B) derives more than 60 percent of its total deposits from persons who normally reside within, or whose principal place of business is normally within, areas of intense devastation caused by the major disaster;

(C) was adequately capitalized (as defined in section 38 of the Federal Deposit Insurance Act) before the major disaster; and

(D) has an acceptable plan for managing the increase in its total assets and total deposits; and

(2) the subtraction is consistent with the purpose of section 38 of the Federal Deposit Insurance Act.

(b) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than February 28, 1999.

(c) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term “appropriate Federal banking agency” has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(2) INSURED DEPOSITORY INSTITUTION.—The term “insured depository institution” has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(3) LEVERAGE LIMIT.—The term “leverage limit” has the same meaning as in section 38 of the Federal Deposit Insurance Act.

(4) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term “qualifying amount attributable to insurance proceeds” means the amount (if any) by which the institution’s total assets exceed the institution’s average total assets during the calendar quarter ending before the date of any determination referred to in subsection (a)(1)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster.

**SEC. 4004. BANKING AGENCY PUBLICATION
REQUIREMENTS.**

(a) IN GENERAL.—A qualifying regulatory agency may take any of the following actions with respect to depository institutions or other regulated entities whose principal place of business is within, or with respect to transactions or activities within, an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after February 28, 1997, that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers, if the agency determines that the action would facilitate recovery from the major disaster:

(1) PROCEDURE.—Exercising the agency’s authority under provisions of law other than this section without complying with—

(A) any requirement of section 553 of title 5, United States Code; or

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Making exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—A qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes any action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term “qualifying regulatory agency” means—

(1) the Board of Governors of the Federal Reserve System;

(2) the Comptroller of the Currency;

(3) the Director of the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

(7) with respect to chapter 53 of title 31, United States Code, the Secretary of the Treasury.

(d) EXPIRATION.—Any exception made under this section shall expire not later than February 28, 1998.

SEC. 4005. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration should encourage depository institutions to meet the financial services needs of their communities and customers located in areas affected by the 1997 flooding of the Red River of the North, the Minnesota River, and the tributaries of such rivers.

SEC. 4006. OTHER AUTHORITY NOT AFFECTED.

No provision of this Act shall be construed as limiting the authority of any department or agency under any other provision of law.

Subtitle B—HUD Disaster Waver Provision

SEC. 4011. DISASTER WAIVER AUTHORITY.

To address the damage resulting from the consequences of the natural disasters occurring in the winter of 1996 and 1997 and the spring of 1997 (including severe weather in the Western United States, damaging tornadoes, and the March 1997 flooding in the Midwest), upon the request of a recipient of assistance the Secretary of Housing and Urban Development may, on a case-by-case basis and upon such other terms as the Secretary may specify—

(1) in applying section 122 of the Housing and Community Development Act of 1974, waive (in whole or in part) the requirements that activities benefit persons of low- and moderate-income; and

(2) in applying section 290 of the HOME Investment Partnerships Act, waive (in whole or in part) the requirements that housing qualify as affordable housing.

Page 51, after line 23, insert the following:

SEC. 3003. (a) Chapter 63 of title 5, United States Code, is amended by adding after subchapter V the following:

“SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

“§ 6391. Authority for leave transfer program in disasters and emergencies

“(a) For the purpose of this section—

“(1) ‘employee’ means an employee as defined in section 6331(a); and

“(2) ‘agency’ means an Executive agency

“(b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.

“(c) The Office shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient’s credit must be exhausted before any transferred annual leave may be used.

“(d) A leave bank established under subchapter IV may, to the extent provided in regulations prescribed by the Office, donate

annual leave to the emergency leave transfer program established under subsection (b).

“(e) Except to the extent that the Office may prescribe by regulation, nothing in section 7351 shall apply to any solicitation, donation, or acceptance of leave under this section.

“(f) The Office shall prescribe regulations necessary for the administration of this section.”

(b) The analysis for chapter 63 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

“§6391. Authority for leave transfer program in disasters and emergencies.”

SEC. . USE OF FUNDS FOR STUDIES OF MEDICAL USE OF MARIJUANA.

None of the funds appropriated by this Act or any other Act shall be used now or hereafter in any fiscal year for any study of the medicinal use of marijuana.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative	Yeas	244
	Nays	178
	Answered present	1

49.24

[Roll No. 136]

YEAS—244

Abercrombie	DeLay	Holden
Aderholt	Diaz-Balart	Hooley
Archer	Dickey	Horn
Armey	Dingell	Hostettler
Bachus	Doolittle	Houghton
Baessler	Drerier	Hoyer
Baker	Dunn	Hunter
Ballenger	Ehrlich	Hutchinson
Barcia	Emerson	Hyde
Barr	English	Istook
Barrett (NE)	Ensign	Jenkins
Bartlett	Etheridge	Johnson (CT)
Barton	Everett	Johnson, Sam
Bateman	Ewing	Kaptur
Bereuter	Fawell	Kasich
Berry	Fazio	Kelly
Bilbray	Foley	Kennedy (MA)
Bilirakis	Forbes	Kim
Bishop	Fowler	King (NY)
Bliley	Fox	Klecza
Blunt	Franks (NJ)	Knollenberg
Boehner	Frelinghuysen	Kolbe
Bonilla	Gallegly	LaHood
Bono	Ganske	Lantos
Boyd	Gekas	Latham
Brady	Gibbons	LaTourette
Bryant	Gilchrest	Lazio
Bunning	Gillmor	Leach
Buyer	Gilman	Lewis (CA)
Callahan	Goode	Lewis (KY)
Calvert	Goodlatte	Linder
Camp	Goodling	Lipinski
Canady	Gordon	Livingston
Cannon	Goss	LoBiondo
Capps	Granger	Lofgren
Cardin	Greenwood	Lucas
Chabot	Gutierrez	Luther
Chambliss	Gutknecht	Manzullo
Christensen	Hall (OH)	Matsui
Clayton	Hall (TX)	McCarthy (NY)
Clement	Hamilton	McCollum
Combest	Hansen	McCrery
Condit	Harman	McDade
Cook	Hastert	McHale
Cooksey	Hastings (FL)	McHugh
Crane	Hastings (WA)	McIntyre
Crapo	Hayworth	McKeon
Cummings	Hefley	Meek
Cunningham	Herger	Metcalf
Danner	Hill	Miller (FL)
Davis (VA)	Hobson	Minge

Moran (KS)	Regula	Sununu
Moran (VA)	Reyes	Talent
Morella	Riggs	Tanner
Myrick	Riley	Tauscher
Nadler	Roemer	Tauzin
Nethercutt	Rogan	Taylor (MS)
Ney	Rogers	Taylor (NC)
Northup	Ros-Lehtinen	Thomas
Oberstar	Roukema	Thornberry
Ortiz	Sabo	Thune
Oxley	Sanchez	Thurman
Packard	Saxton	Trafigant
Pappas	Schaefer, Dan	Vento
Parker	Sessions	Walsh
Paxon	Shaw	Wamp
Pease	Sherman	Watt (NC)
Peterson (MN)	Shimkus	Watts (OK)
Peterson (PA)	Shuster	Weldon (PA)
Pickering	Sisisky	Weller
Pickett	Skeen	White
Pitts	Smith (NJ)	Whitfield
Pombo	Smith (OR)	Wicker
Pomeroy	Smith (TX)	Wise
Porter	Smith, Adam	Wolf
Portman	Smith, Linda	Woolsey
Price (NC)	Snowbarger	Wynn
Pryce (OH)	Spence	Young (AK)
Quinn	Spratt	Young (FL)
Radanovich	Stabenow	
Rahall	Strickland	
Ramstad	Stump	

NAYS—178

Ackerman	Frank (MA)	Neal
Allen	Frost	Neumann
Baldacci	Furse	Norwood
Barrett (WI)	Gejdenson	Nussle
Bass	Gephardt	Obey
Becerra	Gonzalez	Olver
Bentsen	Graham	Owens
Berman	Green	Pallone
Blagojevich	Hilleary	Pascrell
Blumenauer	Hilliard	Pastor
Bonior	Hinchey	Paul
Borski	Hinojosa	Payne
Boswell	Hoekstra	Pelosi
Boucher	Hulshof	Petri
Brown (CA)	Inglis	Poshard
Brown (FL)	Jackson (IL)	Rangel
Brown (OH)	Jackson-Lee	Rivers
Burr	(TX)	Rodriguez
Burton	John	Rohrabacher
Campbell	Johnson (WI)	Rothman
Carson	Johnson, E. B.	Roybal-Allard
Castle	Jones	Royce
Chenoweth	Kanjorski	Rush
Clay	Kennedy (RI)	Ryun
Clyburn	Kennelly	Salmon
Coble	Kildee	Sanders
Coburn	Kilpatrick	Sandlin
Collins	Kind (WI)	Sanford
Conyers	Kingston	Sawyer
Costello	Klink	Scarborough
Cox	Klug	Schaffer, Bob
Coyne	Kucinich	Schumer
Cramer	LaFalce	Scott
Cubin	Lampson	Sensenbrenner
Davis (FL)	Largent	Serrano
Davis (IL)	Levin	Shadegg
Deal	Lewis (GA)	Shays
DeFazio	Lowe	Skaggs
DeGette	Maloney (CT)	Slaughter
Delahunt	Maloney (NY)	Smith (MI)
DeLauro	Markey	Snyder
Dellums	Martinez	Solomon
Deutsch	Mascara	Stark
Dicks	McCarthy (MO)	Stearns
Dixon	McDermott	Stenholm
Doggett	McGovern	Stokes
Dooley	McInnis	Stupak
Doyle	McIntosh	Thompson
Duncan	McKinney	Tiahrt
Edwards	McNulty	Tierney
Ehlers	Meehan	Torres
Engel	Menendez	Towns
Eshoo	Mica	Turner
Evans	Millender-	Upton
Farr	McDonald	Velazquez
Fattah	Miller (CA)	Visclosky
Filner	Mink	Waters
Flake	Moakley	Waxman
Foglietta	Mollohan	Wexler
Ford	Murtha	Weygand

ANSWERED “PRESENT”—1

Souder